which generally relates to the position to which the individual is nominated, and which is to be made public; and

(B) information concerning the financial and other background of the nominee, to be made public when the Committee determines that such information bears directly on the nominee's qualifications to held the position to which the individual is nominated. Committee action on a nomination, including hearings or a meeting to consider a motion to recommend confirmation, shall not be initiated until at least five days after the nominee submits the form required by this rule unless the Chairman, with the concurrence of the Ranking Minority Member, waives this waiting period.

(b) At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath.

VIII. NAMING OF DEPARTMENT OF VETERANS AFFAIRS FACILITIES

It is the policy of the Committee that no Department of Veterans Affairs facility shall be named after any individual unless——

(A) such individual is deceased and was——

(1) a veteran who (i) was instrumental in the construction or the operation of the facility to be named, or (ii) was a recipient of the Medal of Honor or, as determined by the Chairman and Ranking Minority Member, otherwise performed military service of an extraordinarily distinguished character.

(2) a member of the United States House of Representatives or Senate who had a direct association with such facility;

(3) an Administrator of Veterans' Affairs, a Secretary of Veterans Affairs, a Secretary of Defense or of a service branch, or a military or other Federal civilian official of comparable or higher rank; or

(4) an individual who, as determined by the Chairman and Ranking Minority Member, performed outstanding service for veterans;

(B) each member of the Congressional delegation representing the State in which the designated facility is located has indicated in writing such member's support of the proposal to name such facility after such individual; and

(C) the pertinent State department or chapter of each Congressionally chartered veterans' organization having a national membership of at least 500,000 has indicated in writing its support of such proposal.

IX. AMENDMENTS TO THE RULES

The rules of the Committee may be changed, modified, amended, or suspended at any time, provided, however, that no less than a majority of the entire membership so determine at a regular meeting with due notice, or at a meeting specifically called for that purpose. The rules governing quorums for reporting legislative matters shall govern rules changes, modification, amendments, or suspension.

WHY NATIONAL MISSILE DEFENSE DOES NOT PROTECT HAWAII

Mr. AKAKA. Mr. President, in December 2002 President Bush announced his decision to deploy a limited national missile defense system by 2004. Our distinguished colleague, Senator LEVIN, detailed the limitations of the proposed system and testing procedures in an article in the Detroit News on December 29 entitled, ''Untested Missile Defense Setup Poses Risks.'' I ask unanimous consent that his entire article be placed in the RECORD following my statement. I would like to elaborate on some of the concerns raised by the distinguished ranking member of the Armed Services Committee and discuss my concern that this system does nothing to protect my State or other parts of the United States from attack.

President Bush's limited national missile defense system, first proposed by the administration in March 2001 and called ''the Alaska Option,'' consists of 5 to 10 silos/interceptor launchers in Fort Greely, AK and an upgraded Cobra Dane radar on Shemya Island, AK.

At that time, Deputy Secretary of Defense Paul Wolfowitz and Missile Defense Agency Director Gen Ronald Kadish called the Alaska site a ''test bed'' that could be transformed into a fully operational facility easily. During an Armed Services Committee hearing in July 2001, Mr. Wolfowitz stated, ''This developmental capability could become, with very little modification, an operational capability.'' In a later statement, he added that ''it would be essentially a software change to turn it into an operational capability.''

I believe that more than modest modifications would be required. Even if the test bed was functioning and proven effective, significant changes would be needed to make it an operational system. The changes may not be technically difficult but they are very complicated when applied as a whole system. They involve many command, control, communication issues that will determine who makes the decision to fire and when and with how much information. In large and complex research and development programs, one should always be wary of anything that is described as ''just a software fix.''

In July 2001 Phil Coyle, former Director of Operational Test and Evaluation in the Pentagon testified before the Senate Armed Services Committee and defined effective deployment as the fielding of an operational system with some military utility that is effective under realistic combat conditions, against realistic threats and countermeasures, possible without adequate prior knowledge of the target cluster composition, timing, trajectory, or direction, and when operated by military personnel at all times of the day or night and in all weapons.

Mr. Coyle estimated that it would take a decade, rather than 4 years, to produce an effective defense system. As Senator LEVIN raised in his article, no part of the limited missile defense system has been tested against realistic targets, and there are no plans to test the integrated system as a whole before it is deployed. Senator LEVIN correctly questions whether such a system will be even marginally effective.

One could also question whether this system should be labeled a ''national'' missile defense. Given the geometry of the Cobra Dane radar, the system may be better labeled a continental missile defense. The Cobra Dane Radar on Shemya Island was built to detect Soviet missile launches. It has a fixed orientation and a narrow field of view, northwest from Shemya, towards Russia. This radar cannot see missiles launched from North Korea towards Hawaii, and will have only marginal capability for southern California. The radar cannot see the current missile defense target range between California and Hawaii.

The administration is well aware of the limitations of the radar and exclusion of Hawaii in the proposed deployed system. General Kadish referred to this as ''the Hawaii problem'' during a briefing for Senator REED and members of the Armed Services Strategic Subcommittee on July 27, 2001. At that time, General Kadish said that they were considering using an Aegis cruiser to supplement the Cobra Dane radar. Such a cruiser would have to be permanently on station to provide adequate coverage.

Even with upgrades to increase the radar's field of view, the radar still will not be capable of discriminating launch characteristics or trajectory. An X band radar, such as the one now in Kwajalein, is needed. In fact, no radar in Alaska will be able to discriminate launch characteristics. The administration has not asked for funding to upgrade the existing radar or build a new one.

The President characterized in December 2002 his initiative to field a missile defense system as ''modest.'' The program is less than modest. It is inadequate and expensive. The path towards an effective and efficient missile defense program is the one outlined by Senator LEVIN.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Detroit News, Dec. 29, 2002]

LEVIN: UNTESTED MISSILE DEFENSE SETUP POSES RISKS; CAN MISSILE SHIELD BE BUILT?

(By Senator Carl Levin)

President Bush's decision to deploy a limited national missile defense system starting in 2004 before it has been tested and shown to work violates common sense. The Pentagon will spend large amounts of money to deploy an unproven defense, money that could be better used to fight more likely and imminent threats of terrorism.

Many of us have reservations about deployment of a national defense against long-range ballistic missiles because: (1) the intelligence community says such missiles are one of the least likely threats to our security (in part because use of such missiles would leave a ''return address'' that would guarantee a devastating response from the United States); and (2) because deployment of a national missile defense is likely to unleash an arms race with other countries.

However, even ardent proponents of a national missile defense should not support deployment of an untested, unproven system. The United States may eventually succeed in developing a national missile defense system that will actually work against real world threats, but we have not done so yet. According to the Pentagon, the national missile defense system to be deployed in 2004 requires a new booster rocket that has never been tested against any target.

The 2004 system would rely on a radar in Alaska built in the 1970's that was never designed for missile defense, that has no capability to differentiate the target warhead from decoys, that has never been tested against a long-range ballistic missile, and that the administration never plans to test against a long-range missile.

No part of the system has been tested against realistic targets, and there are no plans to test the integrated system as a whole before it is deployed. Secretary of Defense Donald Rumsfeld has said that this is just an ''initial capability'' in a program that ''will evolve over time'' and will ultimately ''look quite different than it begins.''

What the Pentagon has tried not to emphasize is that this ''initial capability'' is likely to be marginally effective, if it works at all. Declaring this untested, marginal system ready to deploy is like declaring a newly designed airplane ready to fly before the wings have been attached to the airframe and the electronics installed in the cockpit.

In his previous tenure as Secretary of Defense, Rumsfeld had to preside over the dismantling of the Safeguard missile defense system which he had inherited and which was operational for less than six months because the technical limitations of the system rendered it ineffective. The development, deployment and dismantling of the Safeguard system cost the taxpayers tens of billions of dollars without enhancing our national security in any way. This is an experience that we should not want to repeat.

Since that time, Congress has instituted reforms in the Defense Department to help prevent the premature and costly fielding of unproven systems. Congress established the Pentagon's Director of Operational Test and Evaluation to oversee major defense programs and ensure they are adequately tested and demonstrated to work before they are deployed—in other words, that any new system is proven to ''fly before we buy.''

Congress also established the Joint Requirements Oversight Council, which gives the military services oversight over weapons programs to ensure that they perform well enough to be useful on the battlefield.

The Bush administration, however, has unwisely exempted all missile defense programs from the normal oversight of these important organizations. As a result, these programs are not subject to normal review by senior military and civilian acquisition officials, and they are not subject to the normal operational test and evaluation process.

Instead, the secretary of defense has delegated many of the functions of these offices to the Missile Defense Agency, effectively making that agency responsible for overseeing itself. History shows that without real oversight, major weapon systems don't work well, suffer serious schedule delays and have major cost overruns.

The Bush administration should re-establish effective oversight of missile defense programs by the Director of Operational Test and Evaluation, the Joint Requirements Oversight Council, and other oversight organizations with the Department of Defense. Rather than rushing to deploy an unproven national missile defense system, the administration should focus on completing the development of a missile defense that will be effective against likely threats and that is shown to work through proper testing.

DUCHENNE MD AWARENESS WEEK

Ms. COLLINS. Mr. President, this week is the Parent Project Muscular Dystrophy's Duchenne MD Awareness Week. It is also the 2-year anniversary of the introduction of the MD CARE Act, which I was pleased to cosponsor with our late colleague, Senator Paul Wellstone, to raise awareness and expand Federal support for medical research to find a cure for this devastating disease.

The need for this legislation was first brought to my attention by one of my constituents, Brian Denger, of Biddeford, ME, who has not one, but two wonderful boys—Matthew and Patrick—with Duchenne Muscular Dystrophy. The Dengers—who also have a daughter, Rachel, with juvenile diabetes—are a loving and courageous family whose strength and spirit inspired me to become involved in advocating for more research funding for muscular dystrophy.

Until I met Brian, I really did not know much about Duchenne Muscular Dystrophy. He was the first to tell me that 1 in 3,500 male children worldwide will be born with the disease and lose the ability to walk by age 10. He told me about the terrible progression of the disease. As it progresses, muscle deterioration in the back and chest begins to put pressure on the lungs, making it more and more difficult for the child to breathe.

What really caught my attention was the fact that the lifespan of children suffering from this disease has not been extended in any significant way in recent years. Current treatment options for boys like Matthew and Patrick are minimal and aimed simply at managing their symptoms in an effort to optimize their quality of life for the limited time they have with us.

Given our Nation's wealth of scientific expertise coupled with the tremendous infusion of resources we have poured into the NIH in recent years, we can and should do more for families like the Dengers. That is why I joined with Senator Wellstone in introducing the MD CARE Act, which President Bush signed into law in December of 2001.

Since the passage of this important legislation, the National Institutes of Health have established grants for the creation of three Centers of Excellence in Muscular Dystrophy Research, which will provide focused research and development in all phases—including basic, clinical, and transitional—of the research spectrum. In addition, the Centers for Disease Control and Prevention have developed an in-depth surveillance and epidemiology study of Duchenne and Becker muscular dystrophy. A population-based epidemiological study of Duchenne and Becker muscular dystrophy will provide the extensive data necessary to inform research decisions, standards of care, physician training, and public health approaches to assist families living with Duchenne and Becker muscular dystrophy.

The NIH and the CDC are to be commended for the progress they are making in their research efforts related to muscular dystrophy. These efforts to improve the quality and length of life for thousands of children diagnosed with muscular dystrophy are invaluable, and I commend the researchers and all of the families who have worked so hard to combat this devastating disease.

THE ''COLUMBIA'' TRAGEDY

Mr. WYDEN. Mr. President, it has been said that a journey of a thousand miles begins with a single step. In the same way, a journey of a million miles must be completed with one final step.

It was at the moment of that ultimate step on February 1, 2003, that the Space Shuttle *Columbia* could go no further. In its last moments, America's first shuttle took with it the brave souls of its crew. It is those seven heroes and human beings I honor today, on behalf of every Oregonian who mourns them.

In recent years, the names of shuttle astronauts have seldom been known by most Americans. Now, the names of the *Columbia* Seven have entered the nation's consciousness through the floodgates of our shared grief: Flight Commander Rick Husband; Pilot William ''Willie'' McCool; Payload Commander Michael Anderson; Mission Specialist Kalpana ''K.C.'' Chawla; Mission Specialist David Brown; Mission Specialist Laurel Clark; and Payload Specialist Ilan Ramon.

As the recent chair of the Subcommittee on Science, Technology and Space, I came to know firsthand that America's astronaut corps, and indeed the teams of engineers and experts that support them, are the best this country has to offer. It seems that this particular group of astronauts was the best of the best. And they were not only America's finest, they were India's finest and Israel's finest as well.

Many of this crew were devoted husbands, wives, fathers and mothers. They leave a dozen children behind them who deserve this nation's sympathy and gratitude for the sacrifice their parents' final mission required.

But the *Columbia* crew also leaves behind their ideals of persistence and patriotism, the humility and humor that called so many people to love them so much, and above all their love of learning and life. Each brought a different background and unique experience to this mission. All defeated great odds and exhibited enormous courage in becoming the astronauts they hoped to be.

From childhood, Rick Husband, Willie McCool and David Brown cherished dreams of liftoff and landing, of spaceships and spirits aloft.

Laurel Clark dove to the depths of the sea in her naval career before reaching the heights of heaven on *Columbia*.

Michael Anderson was able to break even the barrier of sound, even the barrier of Earth's atmosphere as one of the nation's few African American astronauts.